

1 Rene L. Valladares
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 *Rick A. Mula
5 Assistant Federal Public Defender
6 Illinois Bar No. 6331934
7 411 E. Bonneville Ave., Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577
10 Rick_Mula@fd.org

*Attorney for Petitioner Paul Santiago

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 Paul Santiago,

14 Petitioner,

15 v.

16 Calvin Johnson, *et al.*,

17 Respondents.

Case No. 2:21-cv-00896-APG-NJK

**Unopposed motion for extension of
time in which to file Second
Amended Petition**

(Fifth request)

18 Petitioner Paul Santiago respectfully moves this Court for a final extension of
19 time of 14 days, from June 30, 2022, to and including July 14, 2022, in which to file a
20 Second Amended Petition.
21
22
23
24
25
26

Mr. Santiago filed a *pro se* petition for writ of habeas corpus on or about May 4, 2021. (ECF No. 1-1 at 1.) Undersigned counsel formally was appointed on June 24, 2021. (ECF No. 10.) Counsel filed a First Amended Protective Petition on August 18, 2021. (ECF No. 11.) Counsel simultaneously sought leave to file a Second Amended Petition (ECF No. 13), which the Court granted, setting a deadline of December 16, 2021 (ECF No. 15). The Court then granted Mr. Santiago's first, second, third, and fourth requests for extension of time, ultimately resetting the deadline to June 30, 2022. (ECF Nos. 17, 19, 21, 24.) Mr. Santiago respectfully requests an additional extension of time (14 days) in which to file the Second Amended Petition so that an internal review of the final document can be completed.

In addition, counsel has had other professional obligations in the past two months, including, among others: an evidentiary hearing on April 28, 2022, in *Voss v. Nevada*, Case No. CR97-2077 (2nd Jud. Dist. Ct.); travel throughout the state of Nevada to visit clients, including to northern Nevada on May 27, 2022, to visit client in *LaChance v. Dzurenda*, Case No. 21-16694 (9th Cir.); coordination with experts in a pending case; and an opposition to motion to dismiss filed June 27, 2022, in *Sampson v. Russell*, Case No. 3:20-cv-00615-MMD-WGC (D. Nev.).

2

1 petition for writ of habeas corpus under 28 U.S.C. § 2255; a second amended petition
2 due July 22, 2022, in *Emerson v. Hutchings*, Case No. 2:21-cv-01215-GMN-NJK (D.
3 Nev.); an amended petition due August 7, 2022, in *Brown v. Gittere*, Case No. 3:22-
4 cv-00130-RCJ-CSD (D. Nev.); and an amended petition due August 23, 2022, in *Cruz*
5 *v. Hutching*, Case No. 2:21-cv-02118-GMN-DJA (D. Nev.).

6 On June 30, 2022, counsel contacted Deputy Attorney General Trisha
7 Chapman and informed her of this request for an extension of time. As a matter of
8 professional courtesy, Attorney Chapman had no objection to the request. Attorney
9 Chapman's lack of objection should not be construed as a waiver of any procedural
10 defenses or statute of limitations challenges, or construed as agreeing with the
11 accuracy of the representations in this motion.

12 This motion is not filed for the purposes of delay, but in the interests of justice,
13 as well as in the interest of Mr. Santiago. Counsel for Mr. Santiago respectfully
14 requests this Court grant the motion and order Mr. Santiago to file the Second
15 Amended Petition no later than July 14, 2022.

16 Dated June 30, 2022.

17 Respectfully submitted,

18 Rene L. Valladares
19 Federal Public Defender

20 /s/ Rick A. Mula

21 Rick A. Mula
22 Assistant Federal Public Defender

23 IT IS SO ORDERED:

24 

25 United States District Judge

26 Dated: June 30, 2022